

REMARKS

The Office Action mailed on April 2, 2009 has been reviewed. Claims 1, 2, 4, 5, 7-10, 12, 13, 15-17, 19-22, 24-26, 28, and 30-34 are pending in this application.

Rejections Under 35 U.S.C. § 103

Claims 1, 2, 4, 5, 7, 8, 9, 26, 28, 33, and 34 were rejected under 35 USC § 103(a) as being unpatentable over Johnson et al. (U.S. Patent No. 4,849,993) in view of McCullagh et al. (U.S. Publication No. 2002/0022465).

Claim 1 of the present application recites, in part, “a processor coupled to the oscillator, wherein the processor is further coupled to receive a status message from a source of the reference clock signal indicative of a quality level of the reference clock signal”.

The Office Action took the position that “Fig. 2, label 26, Col. 5, lines 20-32 discloses the input frequency signal is checked to determine if the reference signal is within the range. If not, whether falling below or above the range, the PLL will be placed in holdover. Fig. 2, label 10 is the status message is based on the reference clock signal used to determine the state of the PLL. Fig. 3a, labels 10a and 10b show the primary and secondary reference clock signal.”

Applicant respectfully traverses the assertion that label 10 of FIG. 2 of Johnson is “a status message from a source of the reference clock signal indicative of a quality level of the reference clock signal” as recited in claim 1 of the present application. Label 10 in FIG. 2 of Johnson clearly refers to *the reference clock signal* itself (see, e.g., Johnson, column 5, lines 2-4 “Reference clocks signal 10 is inputted to a phase comparator 11 ...”). Johnson does not otherwise teach or suggest “a status *message* from a source of the reference clock signal indicative of a quality level of the reference clock signal”.

As a consequence, none of the references teach or suggest the other claim language that refers to this “status message”.

Applicant respectfully submits that at least the same arguments set forth above with respect to claim 1 apply to the other claims 2, 4, 5, 7, 8, 9, 26, 28, 33, and 34.

Applicant, however, does not concede any assertion made in the Office Action with respect to these claims and reserves the right to provide additional arguments directed to these claims if a further response is required.

Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Claims 10, 12, 13, and 15 were rejected under 35 USC § 103(a) as being unpatentable over Johnson et al. (U.S. Patent No. 4,849,993) in view of McCullagh et al. (U.S. Publication No. 2002/0022465) and further in view of Ham, III (U.S. Publication No. 2002/0080901).

Applicant respectfully submits that at least the same arguments set forth above with respect to claim 1 apply to claims 10, 12, 13, and 15. Applicant, however, does not concede any assertion made in the Office Action with respect to these claims and reserves the right to provide additional arguments directed to these claims if a further response is required.

Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Claim 16 was rejected under 35 USC § 103(a) as being unpatentable over Johnson et al. (U.S. Patent No. 4,849,993) in view of McCullagh et al. (U.S. Publication No. 2002/0022465) in view of Ham, III (U.S. Publication No. 2002/0080901) and further in view of Baydar et al. (U.S. Publication No. 2002/0097743).

Applicant respectfully submits that at least the same arguments set forth above with respect to claim 1 apply to claim 16. Applicant, however, does not concede any assertion made in the Office Action with respect to this claim and reserves the right to provide additional arguments directed to this claim if a further response is required.

Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Serial No.: 10/087,610

Filing Date: 3/1/2002

Attorney Docket No. 100.152US01

Title: DIGITAL PLL WITH CONDITIONAL HOLDOVER

Rejections Under 35 U.S.C. § 102

Claims 17, 20, 21, 22, 24, 25, 30, 31, and 32 were rejected under 35 USC § 102(b) as being anticipated by Johnson et al. (U.S. Patent No. 4,849,993).

Applicant respectfully submits that at least the same arguments set forth above with respect to claim 1 apply to claims 17, 20, 21, 22, 24, 25, 30, 31, and 32. Applicant, however, does not concede any assertion made in the Office Action with respect to these claims and reserves the right to provide additional arguments directed to these claims if a further response is required.

Accordingly, Applicant respectfully requests that this rejection be withdrawn.

Serial No.: 10/087,610

Filing Date: 3/1/2002

Attorney Docket No. 100.152US01

Title: DIGITAL PLL WITH CONDITIONAL HOLDOVER

CONCLUSION

Applicant respectfully submits that claims **1, 2, 4, 5, 7-10, 12, 13, 15-17, 19-22, 24-26, 28, and 30-34** are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: 2009-07-02

/Jon M. Powers/
Jon M. Powers
Reg. No. 43868

Attorneys for Applicant
Fogg & Powers LLC
5810 W. 78th Street, Ste. 100
Minneapolis, MN 55439
T – (952) 465-0770
F – (952) 465-0771